

EXHIBIT 4

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION

4 No. 5:16-cv-10444
IN RE: FLINT WATER CASES Hon. Judith E. Levy
5 Mag. Mona K. Majzoub

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9 HIGHLY CONFIDENTIAL
10 VIDEOTAPED DEPOSITION OF WILLIAM J. FAHEY
11 VOLUME I
12 Tuesday, December 3, 2019
13 at 9:08 a.m.

14 Taken at: Weitz & Luxenberg PC
15 3011 West Grand Boulevard, Suite 2100
16 Detroit, Michigan 48202

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21 REPORTED BY: CAROL A. KIRK, RMR/CSR-9139
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1 Defendants have completed their
2 questioning.

3 MR. MCELVAINE: Okay. I think
4 we're passing the questioning to
5 Mr. Stern.

6 MR. STERN: Yes, sir. Are you all
7 ready?

8 MR. MCELVAINE: Go for it.

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10 CROSS-EXAMINATION

11 BY MR. STERN:

12 Q. Mr. Fahey, can you hear me okay on
13 the telephone?

14 A. Yes, sir.

15 Q. My name is Corey Stern. I'm an
16 attorney. I'm calling in from New York City. I
17 represent LeeAnne Walters' children, her and her
18 family, as well as roughly 2,500 other children
19 under the age of 18.

20 I'm asking questions in my
21 capacity as liaison counsel, which was an
22 appointment that was given by Judge Levy in
23 federal court, and as lead counsel which was an
24 appointment I was given by Judge Yuille in state

1 court. I only have a few questions for you, and
2 I appreciate your time in being available today.

3 It's my understanding, sir, that
4 you testified that the city of Flint lacked the
5 competency to operate the plant properly; is
6 that accurate?

7 A. Yes, sir.

8 Q. You also stated in response to a
9 question from I believe Mr. Blake that the folks
10 operating the plant didn't understand process,
11 didn't have the guardrails in place.

12 Did I hear that correctly?

13 A. That's correct.

14 Q. You also stated earlier this
15 morning, around 10:00, one of your first answers
16 to Mr. Connors' questions, the data showed that
17 there was no commercial chemical being used in
18 the process that the plant was using; is that
19 correct?

20 MR. MCELVAINE: Objection.


21 You can answer.

22 A. No, I don't believe that's
23 correct. I believe when I was referring to
24 data, the data was related to the lead and

CERTIFICATE

I, Carol A. Kirk, a Registered Merit Reporter and Notary Public in and for the State of Michigan, duly commissioned and qualified, do hereby certify that the within-named WILLIAM J. FAHEY was by me first duly sworn to testify to the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the deposition then given by him was by me reduced to stenotype in the presence of said witness; that the foregoing is a true and correct transcript of the deposition so given by him; that the deposition was taken at the time and place in the caption specified and was completed without adjournment; and that I am in no way related to or employed by any attorney or party hereto or financially interested in the action; and I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Dexter, Michigan on this 17th day of December 2019.



CAROL A. KIRK, RMR, CSR-9139

NOTARY PUBLIC - STATE OF MICHIGAN

My Commission Expires: August 19, 2022.

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